

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ESTATE OF EDWARD L.	:	ELECTRONICALLY FILED
HIMMELWRIGHT, Deceased,	:	
Plaintiff	:	
	:	CASE NO.
v.	:	
	:	
BOBBIE JO BRUNGARD,	:	
LYCOMING-CLINTON MENTAL	:	
HEALTH-INTELLECTUAL	:	
DISABILITY PROGRAM, DR.	:	
JAMES SWEETLAND, UPMC	:	
LOCK HAVEN, TROOPER	:	
BENJAMIN J. CAMPANA, and the	:	
PENNSYLVANIA STATE POLICE,	:	
Defendants	:	JURY TRIAL DEMANDED

## TABLE OF CONTENTS FOR EXHIBITS

Pursuant to Local Rule of Court 5.1(f), the following Exhibits are submitted with the foregoing Notice of Removal of Civil Action:

## Exhibit A – Complaint in State Court Action

Exhibit B – All other pleadings, process, and Order served upon the Moving Defendants.

Exhibit C – Consent to Removal of Defendants Trooper Benjamin J. Campana and the Pennsylvania State Police.

Exhibit D – Consent to Removal of defendant Dr. James Sweetland.

Exhibit E – Consent to Removal of defendants Bobbie Jo Brungard and  
Lycoming-Clinton Mental Health-Intellectual Disability Program.

McCORMICK LAW FIRM

By /s/ Richard F. Schluter

Richard F. Schluter

PA I.D. 79672

Attorney for Defendant

UPMC Lock Haven

835 West Fourth Street

Williamsport, PA 17701

(570) 326-5131

(570) 601-0768 (fax)

[rschluter@mcclaw.com](mailto:rschluter@mcclaw.com)

**Exhibit A**

IN THE COURT OF COMMON PLEAS OF CLINTON COUNTY, PENNSYLVANIA  
CIVIL DIVISION

ESTATE OF EDWARD L. HIMMELWRIGHT, :  
Deceased :  
Plaintiff, :  
vs. : No. 808-2021

BOBBIE JO BRUNGARD, :  
LYCOMING-CLINTON MENTAL HEALTH- :  
INTELLECTUAL DISABILITY PROGRAM, :  
DR. JAMES SWEETLAND, UPMC LOCK :  
HAVEN, TROOPER BENJAMIN J. CAMPANA, :  
And the PENNSYLVANIA STATE POLICE :  
Defendants :

NOTICE

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claims or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator  
Court of Common Pleas of Clinton County  
230 E. Water Street  
Lock Haven, PA 17745  
Telephone: 570-893-4016

IN THE COURT OF COMMON PLEAS OF CLINTON COUNTY, PENNSYLVANIA  
CIVIL DIVISION

---

ESTATE OF EDWARD L. HIMMELWRIGHT,  
Deceased

Plaintiff,

vs.

BOBBIE JO BRUNGARD,  
LYCOMING-CLINTON MENTAL HEALTH-  
INTELLECTUAL DISABILITY PROGRAM,  
DR. JAMES SWEETLAND, UPMC LOCK  
HAVEN, TROOPER BENJAMIN J. CAMPANA,  
And the PENNSYLVANIA STATE POLICE

Defendants

---

No. 808-2021

COMPLAINT

1. The Decedent Edward L. Himmelwright was an adult individual formerly residing at 1166 Fishing Creek Road, Mill Hall, Clinton County, PA 17751. Decedent passed away on October 12, 2020.
2. Anna M. Douty is the daughter of the Decedent and has received letters testamentary from the Register of Wills of Clinton County as Executrix of his estate.
3. Defendant Bobbie Ho Brungard is an adult individual believed to be employed by the Lycoming-Clinton Mental Heath-Intellectual Disability Program.
4. Defendant Lycoming-Clinton Mental Health- Intellectual Disability Program is believed to have offices at 8 North Grove Street, Suite A, Lock Haven, Clinton County, PA.
5. Defendant James Sweetland is believed to be a licensed medical doctor practicing at UPMC Lock Haven.

6. Defendant UPMC Lock Haven is a medical facility located at 24 Cree Drive, Lock Haven, Clinton County, PA.
7. Defendant Trooper Benjamin J. Campana is an employee of the Pennsylvania State Police.
8. Defendant the Pennsylvania State Police are Pennsylvania's state law enforcement agency. It is believed that their Troop F Mill Hall Station was involved in this incident. That address is 113 Boyd Road, Mill Hall, Clinton County, PA 17751.
9. On July 10, 2019, the Decedent was experiencing a mental health episode.
10. On that date, Defendant Brungard, while acting in her employment with Lycoming-Clinton Mental Health- Intellectual Disability Program did initiate an involuntary mental health commitment under section 302 of the Mental Health Procedures Act. Specifically, it is believed that Defendant Brungard prepared the petition, signed the warrant authorization, signed the notification of rights and signed the affirmation regarding protection of patient's interest.
11. Pursuant to 50 P.S. 7302:

Upon arrival at the facility, the person shall be informed of the reasons for emergency examination and of his right to communicate immediately with others. He shall be given reasonable use of the telephone. He shall be requested to furnish the names of parties whom he may want notified of his custody and kept informed of his status. The county administrator or the director of the facility shall:

- (1) give notice to such parties of the whereabouts and status of the person, how and when he may be contacted and visited, and how they may obtain information concerning him while he is in inpatient treatment; and
- (2) take reasonable steps to assure that while the person is detained, the health and safety needs of any of his dependents are met, and that his personal property and the premises he occupies are secure.

12. Under Pennsylvania law two forms must be given to an individual subject to involuntary examination and treatment:

(e) Upon arrival at a facility previously designated as a provider of emergency examinations. Form MH-783 shall be completed and Form MH-783-B shall be given to the person subject to the examination. The person shall be informed of his right to counsel and be advised that if he cannot afford counsel, counsel can be provided.

55 Pa. Code § 5100.86.

(g) If the person is determined to be severely mentally disabled and in need of immediate treatment:

(1) The examining physician shall make certain that the person has received a copy of forms MH-782, Bill of Rights, and MH-783-A, Explanation of Rights Under Involuntary Emergency Commitment.

55 Pa. Code § 5100.86

13. Neither the 302 petition nor the hospital records show that these notifications of rights were ever provided to the Decedent. The 302 form only represents that Defendant Brungard explained the Decedent's rights to him.

14. Based on the warrant issued by Defendant Brungard, the Decedent was taken into custody and transported to UPMC Lock Haven, where he was examined by Dr. James Sweetland.

15. Pursuant to 50 P.S. 7302(b) an individual detained for mental health treatment must be examined within two hours of arrival.

16. Per hospital records, Decedent arrived at UPMC Lock Haven at 2:06 PM on July 10, 2019. However, the 302 forms state that Decedent arrived at 3:01 PM. As the Decedent



was brought in on a mental health warrant, he should have been examined no later than 4:06 PM.

17. The time of examination as stated on the 302 form is illegible. It could be 1915 hours, which would be 7:15 PM. The medical records are silent as to when the 302 examination was performed. There is a report electronically signed by Defendant Sweetland at 8:21 PM.

18. Per the 302 paperwork, upon examination, Dr. Sweetland found that Decedent was "severely mentally disabled and in need of treatment. He should be admitted to a facility designated by the County Administrator for a period of treatment not to exceed 120 hours."

19. Decedent was never committed to a mental health facility. He remained in regular hospital care and was transferred to Hershey Medical Center for further medical treatment.

20. Pursuant to 50 P.S. 7302(b), "If it is determined that the person is severely mentally disabled and in need of emergency treatment, treatment shall be begun immediately." 50

---

Pa. Stat. Ann. § 7302 (West). Defendants Sweetland and UPMC Lock Haven did not provide for that treatment.

21. Pursuant to 18 Pa. C.S.A. 6105(a)(2)(i), an individual who has been involuntarily committed to a mental institution under section 302 of the mental health procedures



pursuant to 18 Pa. C.S.A. 6105(c)(4) shall have up to 60 days in which to sell or transfer firearms.

22. However, rather than allow Decedent to address the firearms situation, Defendant Brungard and/or other employees of the Lycoming-Clinton Mental Health did contact the Pennsylvania State Police.

23. On or about July 11, 2019, Defendant Campana while acting as a Trooper for the Pennsylvania State Police did obtain a warrant for Decedent's residence. The Trooper did seize firearms from Decedent's residence. It was not unlawful for Decedent to possess these firearms at that time. Decedent was not charged with any crimes.

I. Trespass to Chattel- Under Pennsylvania Law

24. All of the foregoing paragraphs are incorporated herein by reference

25. Trooper Campana while acting as a State Trooper did enter Decedent's residence without good legal cause to do so. He did do damage to Decedent's property in the course of doing so.

26. Trooper Campana and the Pennsylvania State Police are legally responsible for that

damage.

WHEREFORE, Defendants should be ordered to reimburse Plaintiff for the fair value of the damaged property.

## II. FALSE RESTRAINT/FALSE IMPRISONMENT

27. All of the foregoing paragraphs are incorporated herein by reference.

28. Defendants Sweetland and UPMC Lock Haven were legally authorized to detain

Decedent for no more than two hours under the Mental Health Procedures Act.

29. Defendant arrived at 2:06 PM. It is unclear when the 302 evaluation was performed, but it appears that Decedent was detained well past 4:06 PM.

30. By detaining Decedent past the two hour time limit, these Defendants did detain him unlawfully.

31. Plaintiff is therefore entitled to compensation for Decedent's unlawful detention.

WHEREFORE, Defendants should be ordered to reimburse Plaintiff just compensation for his false imprisonment.

---

III. VIOLATIONS OF 42 U.S.C. 1983

A. Defendants Brungard and Lycoming-Clinton Mental Health- Intellectual Disability Program

32. All of the foregoing paragraphs are incorporated herein by reference.
33. Acting under color of law and pursuant to official policy or custom Defendant Brungard through her position with Lycoming-Clinton Mental Health- Intellectual Disability Program knowingly, recklessly, or with gross negligence:
- (a) unlawfully and maliciously failed to advise Decedent of his rights under the mental health procedures act.
  - (b) incorrectly informed the Pennsylvania State Police that Decedent had been committed to a mental health facility, thereby resulting in an unlawful search for and seizure of Decedent's firearms and damage to Decedent's personal property.
  - (c) conspiring to violate the rights, privileges, and immunities guaranteed to Plaintiff by the Constitution and laws of the United States and the laws of the Commonwealth of Pennsylvania; and
  - (d) otherwise depriving Plaintiff of his constitutional and statutory rights, privileges, and immunities.
34. Defendant Brungard was a state actor at all relevant times herein.
35. It is believed and therefore averred that the Lycoming-Clinton Mental Health- Intellectual Disability Program did have knowledge of, did support and did consent to Defendant

Brungard's actions.

36. It is further averred that Lycoming-Clinton Mental Health- Intellectual Disability Program failed to ensure that Defendant Brungard was properly supervised or trained.
37. Both Defendants had power to prevent or aid in preventing the commission of said wrongs, could have done so by reasonable diligence, and knowingly, recklessly, or with gross negligence failed or refused to do so.
38. The failure to properly supervise or train Defendant Brungard demonstrates deliberate indifference on the part of Lycoming-Clinton Mental Health- Intellectual Disability Program.

B. Defendants Campana and the Pennsylvania State Police

39. All of the foregoing paragraphs are incorporated herein by reference.
40. Acting under color of law and pursuant to official policy or custom Defendant Campana through his position with the Pennsylvania State Police knowingly, recklessly, or with gross negligence:
  - (a) unlawfully and maliciously obtained a search warrant for Decedent's residence. In doing so, Defendant Campana unlawfully seized Decedent's firearms and did do damage to Decedent's property.
  - (b) conspiring to violate the rights, privileges, and immunities guaranteed to Decedent by

the Constitution and laws of the United States and the laws of the Commonwealth of Pennsylvania; and

(c) otherwise depriving Decedent of his constitutional and statutory rights, privileges, and immunities.

41. Defendant Campana was a state actor at all relevant times herein.

42. It is believed and therefore averred that the Pennsylvania State Police did have knowledge of, did support and did consent to Defendant Campana's actions.

43. It is further averred that the Pennsylvania State police failed to ensure that Defendant Campana was properly supervised or trained.

44. Both Defendants had power to prevent or aid in preventing the commission of said wrongs, could have done so by reasonable diligence, and knowingly, recklessly, or with gross negligence failed or refused to do so.

45. The failure to properly supervise or train Defendant Campana demonstrates deliberate indifference on the part of the Pennsylvania State Police.

C. Defendants Sweetland and UPMC Lock Haven

46. All of the foregoing paragraphs are incorporated herein by reference.

47. Acting under color of law and pursuant to official policy or custom Defendant Sweetland through his position with UPMC Lock Have knowingly, recklessly, or with gross negligence:

(a) unlawfully and maliciously failed to timely examine Decedent, which resulted in his unlawful detention.

(b) Unlawfully and maliciously failing to inform Decedent of his rights.

(c) Failing to provide the legally required treatment under 50 P.S. 7302(b).

(e) conspiring to violate the rights, privileges, and immunities guaranteed to Decedent by the Constitution and laws of the United States and the laws of the Commonwealth of Pennsylvania; and

(d) otherwise depriving Decedent of his constitutional and statutory rights, privileges, and immunities.

48. Defendant Sweetland was a state actor as he had specifically been given authority by the state by statute to detain and examine Decedent.

49. It is believed and therefore averred that UPMC Lock Haven had knowledge of, did support and did consent to Defendant Sweetland's actions.

50. It is further averred that UPMC Lock Haven failed to ensure that Defendant Sweetland was properly supervised or trained.

51. Both Defendants had power to prevent or aid in preventing the commission of said wrongs, could have done so by reasonable diligence, and knowingly, recklessly, or with gross negligence failed or refused to do so.

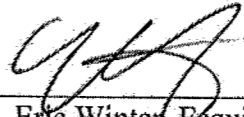
52. The failure to properly supervise or train Defendant Sweetland demonstrates deliberate indifference on the part of UPMC Lock Haven.



WHEREFORE, Plaintiff demands judgment against the Defendants for actual, general, special, compensatory damages plus the costs of this action, including attorney's fees, and such other relief deemed to be just and equitable.

Respectfully submitted,

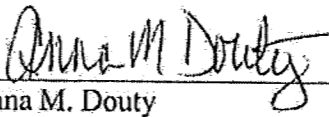
By: \_\_\_\_\_



Eric Winter, Esquire  
Attorney I.D. #84200  
646 Lenape Road  
Bechtelsville, PA 19505

VERIFICATION

I hereby verify that the facts set forth herein are true and correct to the best of my knowledge, information and belief and that this verification is made subject to the penalties of 18 Pa. C.S.A. Section 4904 relating to unsworn falsification to authorities.

  
\_\_\_\_\_  
Anna M. Douty

Dated:

9/22/21

**Exhibit B**

IN THE COURT OF COMMON PLEAS OF CLINTON COUNTY, PENNSYLVANIA  
CIVIL ACTION – LAW

ESTATE OF EDWARD L.  
HIMMELWRIGHT,  
Plaintiff

vs.

BOBBIE JO BRUNGARD,  
LYCOMING-CLINTON MENTAL  
HEALTH-INTELLECTUAL  
DISABILITY PROGRAM, DR. JAMES  
SWEETLAND, UPMC LOCK HAVEN,  
TROOPER BENJAMIN J. CAMPANA,  
and the PENNSYLVANIA STATE  
POLICE,

Defendants

No. 808-2021

ORDER

AND NOW, this 23rd day of July, 2021, IT IS HEREBY ORDERED that  
a Status Conference be held on the 18th day of January, 2022 at 2:30 P.M.,  
Courtroom No. 1, Clinton County Courthouse, Lock Haven, Pennsylvania. The  
scheduling of this Conference does not relieve any party of the requirements of the  
applicable Rules of Civil Procedure, specifically the requirement to file a responsive  
pleading.

BY THE COURT:



P. J.

CRAIG P. MILLER  
PRESIDENT JUDGE  
COURT OF COMMON PLEAS  
25TH JUDICIAL DISTRICT  
OF PENNSYLVANIA  
COURTHOUSE  
LOCK HAVEN, PA 17745

cc: Eric Winter, Esquire  
Bobbie Jo Brungard, Defendant

FILED  
2021 JUL 23 PM 3:49  
CYNTHIA A LOVE  
CLINTON COUNTY PA  
PROthonotary & Clerk

Lycoming-Clinton Mental Health  
Intellectual Disability Program, Defendant  
Dr. James Sweetland, Defendant  
✓PMC Lock Haven, Defendant  
Trooper Benjamin J. Campana, Defendant  
Pennsylvania State Police, Defendant  
Court Administrator

CRAIG P. MILLER  
PRESIDENT JUDGE

COURT OF COMMON PLEAS  
25TH JUDICIAL DISTRICT  
OF PENNSYLVANIA  
COURTHOUSE  
LOCK HAVEN, PA 17745

IN THE COURT OF COMMON PLEAS OF CLINTON COUNTY, PENNSYLVANIA  
CIVIL DIVISION

ESTATE OF EDWARD L. HIMMELWRIGHT, :

Deceased :

Plaintiff, :

vs. :

No. 808-2021 :

BOBBIE JO BRUNGARD, :  
LYCOMING-CLINTON MENTAL HEALTH- :  
INTELLECTUAL DISABILITY PROGRAM, :  
DR. JAMES SWEETLAND, UPMC LOCK :  
HAVEN, TROOPER BENJAMIN J. CAMPANA, :  
And the PENNSYLVANIA STATE POLICE :

Defendants :

2021 JUL 30 AM 11:21  
CLINTON COUNTY PA  
PROTHONOTARY CLERK

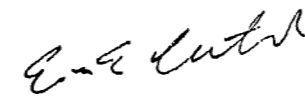
**PRAECIPE TO REISSUE WRIT OF SUMMONS**

TO THE PROTHONOTARY:

Kindly reissue a Writ of Summons to the Defendants in the above-captioned action. The prior version of the Writ of Summons misidentified the Defendants to be served with the writ. The Defendants identified in the original caption are correct.

Respectfully submitted,

By:



Eric Winter, Esquire  
Attorney I.D. #84200  
646 Lenape Road

Bechtelsville, PA 19505



IN THE COURT OF COMMON PLEAS OF CLINTON COUNTY, PENNSYLVANIA  
CIVIL DIVISION

---

ESTATE OF EDWARD L. HIMMELWRIGHT,	:	:
Deceased	:	:
	:	:
Plaintiff,	:	:
	:	:
vs.	:	No. 808-2021
	:	:
BOBBIE JO BRUNGARD,	:	:
LYCOMING-CLINTON MENTAL HEALTH-	:	:
INTELLECTUAL DISABILITY PROGRAM,	:	:
DR. JAMES SWEETLAND, UPMC LOCK	:	:
HAVEN, TROOPER BENJAMIN J. CAMPANA,	:	:
And the PENNSYLVANIA STATE POLICE	:	:
	:	:
	:	:
Defendants	:	:

---

AMENDED WRIT OF SUMMONS

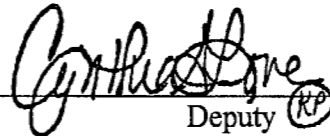
To: BOBBIE JO BRUNGARD, LYCOMING-CLINTON MENTAL HEALTH-  
INTELLECTUAL DISABILITY PROGRAM, DR. JAMES SWEETLAND, UPMC LOCK  
HAVEN, TROOPER BENJAMIN J. CAMPANA, And the PENNSYLVANIA STATE POLICE

You are hereby notified that the Estate of Edward L. Himmelwright, Deceased commenced  
an action against you.

DATE: 7/30/2021

, Prothonotary

By:

  
Deputy (RP)

ESTATE OF EDWARD L.  
HIMMELWRIGHT, Deceased,  
Plaintiff

v.

BOBBIE JO BRUNGARD,  
LYCOMING-CLINTON MENTAL  
HEALTH-INTELLECTUAL DISABILITY  
PROGRAM, DR. JAMES SWEETLAND,  
UPMC LOCK HAVEN, TROOPER  
BENJAMIN J. CAMPANA, and the  
PENNSYLVANIA STATE POLICE,  
Defendant

IN THE COURT OF COMMON PLEAS  
OF CLINTON COUNTY,  
PENNSYLVANIA

NO. 808-2021

CIVIL ACTION - LAW

JURY TRIAL DEMANDED

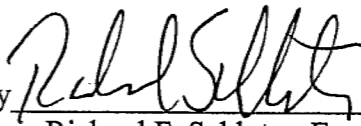
**PRAECIPE FOR RULE TO FILE A COMPLAINT**

TO THE PROTHONOTARY:

Please issue a Rule on plaintiff to file a Complaint in the above-captioned action within twenty (20) days, or suffer a judgment of non pros.

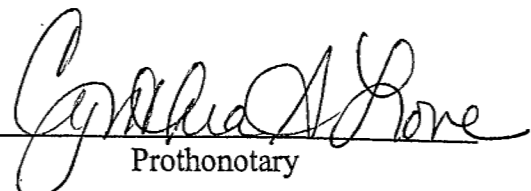
Respectfully submitted,

McCORMICK LAW FIRM

By   
Richard F. Schluter, Esquire  
I.D. No. 79672  
Attorney for Defendant  
UPMC Lock Haven

**RULE TO FILE A COMPLAINT**

AND NOW, this 19<sup>th</sup> day of August, 2021, a Rule is hereby issued on Plaintiff to file a Complaint in the above-captioned action within twenty (20) days of service of the within Rule, or to suffer a judgment of non pros.

  
Prothonotary

ESTATE OF EDWARD L.  
HIMMELWRIGHT, Deceased,  
Plaintiff

v.

BOBBIE JO BRUNGARD,  
LYCOMING-CLINTON MENTAL  
HEALTH-INTELLECTUAL DISABILITY  
PROGRAM, DR. JAMES SWEETLAND,  
UPMC LOCK HAVEN, TROOPER  
BENJAMIN J. CAMPANA, and the  
PENNSYLVANIA STATE POLICE,  
Defendant

IN THE COURT OF COMMON PLEAS  
OF CLINTON COUNTY,  
PENNSYLVANIA

NO. 808-2021

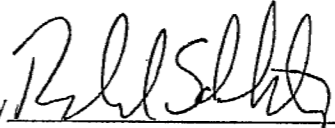
CIVIL ACTION - LAW

JURY TRIAL DEMANDED

### CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

McCORMICK LAW FIRM

By   
Richard F. Schluter, Esquire  
I.D. No. 79672  
Attorney for Defendant  
UPMC Lock Haven

ESTATE OF EDWARD L.  
HIMMELWRIGHT, Deceased,  
Plaintiff

v.

BOBBIE JO BRUNGARD,  
LYCOMING-CLINTON MENTAL  
HEALTH-INTELLECTUAL DISABILITY  
PROGRAM, DR. JAMES SWEETLAND,  
UPMC LOCK HAVEN, TROOPER  
BENJAMIN J. CAMPANA, and the  
PENNSYLVANIA STATE POLICE,  
Defendant

IN THE COURT OF COMMON PLEAS  
OF CLINTON COUNTY,  
PENNSYLVANIA

NO. 808-2021

CIVIL ACTION LAW

JURY TRIAL DEMANDED

CLINTON COUNTY  
2021 AUG 27 AM 11:20  
RECEIVED

### CERTIFICATE OF SERVICE

I, RICHARD F. SCHLUTER, ESQUIRE, hereby certify that I have served a copy of the attached *Rule to File a Complaint*, upon the following, this 25<sup>th</sup> day of August 2021, as follows:

#### UNITED STATES MAIL, POSTAGE PREPAID:

Eric Winter, Esquire  
646 Lenape Road  
Bechtelsville, PA 19505

Dr. James Sweetland  
24 Cree Drive  
Lock Haven, PA 17745

Bobbie Jo Brungard  
Lycoming-Clinton Mental Health  
-Intellectual Disability Program  
8 North Grove Street, Suite A  
Lock Haven, PA 17745

Trooper Benjamin J. Campana  
The Pennsylvania State Police  
1800 Elmerton Avenue  
Harrisburg, PA 17110

McCORMICK LAW FIRM



By

Richard F. Schluter, Esquire  
I.D. No. 79672  
Attorney for Defendant  
UPMC Lock Haven

ESTATE OF EDWARD L.  
HIMMELWRIGHT, Deceased,  
Plaintiff

v.

BOBBIE JO BRUNGARD,  
LYCOMING-CLINTON MENTAL  
HEALTH-INTELLECTUAL DISABILITY  
PROGRAM, DR. JAMES SWEETLAND,  
UPMC LOCK HAVEN, TROOPER  
BENJAMIN J. CAMPANA, and the  
PENNSYLVANIA STATE POLICE,  
Defendant

IN THE COURT OF COMMON PLEAS  
OF CLINTON COUNTY,  
PENNSYLVANIA

NO. 808-2021

CIVIL ACTION - LAW

JURY TRIAL DEMANDED

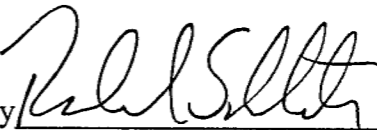
**PRAECIPE FOR ENTRY OF APPEARANCE**

TO THE PROTHONOTARY:

Please enter our appearance on behalf of defendant UPMC Lock Haven in the above-referenced matter.

Respectfully submitted,

McCORMICK LAW FIRM

By 

Richard F. Schluter, Esquire  
I.D. No. 79672  
Attorney for Defendant  
UPMC Lock Haven

835 West Fourth Street  
Williamsport, PA 17701  
(570) 326-5131

ESTATE OF EDWARD L.  
HIMMELWRIGHT, Deceased,  
Plaintiff

v.

BOBBIE JO BRUNGARD,  
LYCOMING-CLINTON MENTAL  
HEALTH-INTELLECTUAL DISABILITY  
PROGRAM, DR. JAMES SWEETLAND,  
UPMC LOCK HAVEN, TROOPER  
BENJAMIN J. CAMPANA, and the  
PENNSYLVANIA STATE POLICE,  
Defendant

IN THE COURT OF COMMON PLEAS  
OF CLINTON COUNTY,  
PENNSYLVANIA

NO. 808-2021

CIVIL ACTION LAW

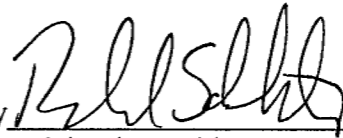
JURY TRIAL DEMANDED

FILED  
2021 AUG 19 PM 12:11  
CLINTON COUNTY PA  
PROthonotary Clerk

### CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

McCORMICK LAW FIRM

By   
Richard F. Schluter, Esquire  
I.D. No. 79672  
Attorney for Defendant  
UPMC Lock Haven

ESTATE OF EDWARD L.  
HIMMELWRIGHT, Deceased,  
Plaintiff

v.

BOBBIE JO BRUNGARD,  
LYCOMING-CLINTON MENTAL  
HEALTH-INTELLECTUAL DISABILITY  
PROGRAM, DR. JAMES SWEETLAND,  
UPMC LOCK HAVEN, TROOPER  
BENJAMIN J. CAMPANA, and the  
PENNSYLVANIA STATE POLICE,  
Defendant

IN THE COURT OF COMMON PLEAS  
OF CLINTON COUNTY,  
PENNSYLVANIA

NO. 808-2021

CIVIL ACTION LAW

JURY TRIAL DEMANDED

FILED  
2021 AUG 19 PM 12:11  
CLINTON COUNTY  
PROthonARY & CLERK

### CERTIFICATE OF SERVICE

I, RICHARD F. SCHLUTER, ESQUIRE, hereby certify that I have served a copy of the foregoing *Entry of Appearance*, upon the following, this 18<sup>th</sup> day of August 2021, as follows:

#### UNITED STATES MAIL, POSTAGE PREPAID:

Eric Winter, Esquire  
646 Lenape Road  
Bechtelsville, PA 19505

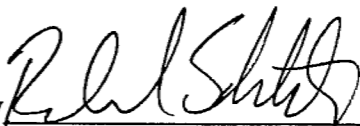
Bobbie Jo Brungard  
3 Nancy Drive  
Mill Hall, PA 17745

Lycoming-Clinton Mental Health  
-Intellectual Disability Program  
8 North Grove Street, Suite A  
Lock Haven, PA 17745

Dr. James Sweetland  
24 Cree Drive  
Lock Haven, PA 17745

Trooper Benjamin J. Campana  
The Pennsylvania State Police  
1800 Elmerton Avenue  
Harrisburg, PA 17110

McCORMICK LAW FIRM

By 

Richard F. Schluter, Esquire  
I.D. No. 79672  
Attorney for Defendant  
UPMC Lock Haven



Jeremy S. Montgomery  
Deputy Attorney General  
Attorney I.D. #206330  
Office of Attorney General  
Torts Litigation Section  
15<sup>th</sup> Floor, Strawberry Square  
Harrisburg, PA 17120  
Direct Dial: (717) 772-2995  
[jmontgomery@attorneygeneral.gov](mailto:jmontgomery@attorneygeneral.gov)

ESTATE OF EDWARD L.	:	In the Court of Common Pleas of
HIMMELWRIGHT,	:	Clinton County, Pennsylvania
Plaintiff	:	
	:	
v.	:	No. 21-0808
	:	
BOBBIE JO BRUNGARD, LYCOMING-	:	
CLINTON MENTAL HEALTH-	:	
INTELLECTUAL DISABILITY	:	
PROGRAM, DR. JAMES SWEETLAND,	:	
UPMC LCOK HAVEN, TROOPER	:	
BENJAMIN J. CAMPANA <i>and</i> THE	:	
PENNSYLVANIA STATE POLICE,	:	
Defendants	:	

---

**PRAECIPE FOR ENTRY OF APPEARANCE**

---

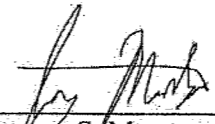
TO THE PROTHONTARY:

Please enter my appearance on behalf of Defendants, Trooper Benjamin J. Campana and the Pennsylvania State Police, in the above-captioned matter.

Respectfully submitted,

JOSH SHAPIRO  
Attorney General

By:

  
\_\_\_\_\_  
Jeremy S. Montgomery  
Deputy Attorney General

DATED: August 18, 2021

ESTATE OF EDWARD L.	:	In the Court of Common Pleas of
HIMMELWRIGHT,	:	Clinton County, Pennsylvania
Plaintiff	:	
	:	
v.	:	No. 21-0808
	:	
BOBBIE JO BRUNGARD, LYCOMING-	:	
CLINTON MENTAL HEALTH-	:	
INTELLECTUAL DISABILITY	:	
PROGRAM, DR. JAMES SWEETLAND,	:	
UPMC LOCK HAVEN, TROOPER	:	
BENJAMIN J. CAMPANA <i>and</i> THE	:	
PENNSYLVANIA STATE POLICE,	:	
Defendants	:	

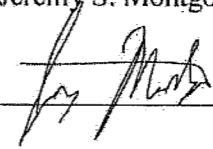
---

**THE COMMONWEALTH DEFENDANTS' CERTIFICATE OF  
COMPLIANCE**

---

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: Jeremy S. Montgomery, Esq.

Signature: 

Name: Jeremy S. Montgomery, Esq.

Attorney No.: 206330

---

**CERTIFICATE OF SERVICE**

---

I hereby certify that I am this day serving the foregoing document(s) upon the person(s) and in the manner indicated below:

SERVICE BY FIRST CLASS MAIL  
POSTAGE PREPAID  
ADDRESSED AS FOLLOWS:

Eric Winter, Esquire  
646 Lenape Road  
Bechtelsville, PA 19505  
*Counsel for Plaintiff*

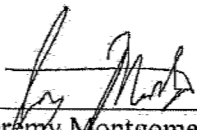
Bobbie Jo Brungard

Lycoming-Clinton Mental Health  
200 East Street  
Williamsport, PA 17701

Dr. James Sweetland  
24 Cree Drive  
Lock Haven, PA 17745

UPMC Lock Haven  
24 Cree Drive  
Lock Haven, PA 17745

By:

  
\_\_\_\_\_  
Jeremy Montgomery, #206330  
Deputy Attorney General

Torts Litigation Section  
15th Floor, Strawberry Square  
Harrisburg, PA 17120  
717-772-2995

DATED: August 18, 2021

P/dy

**REBAR KELLY**

By: Cathleen Kelly Rebar/Patrick J. Healey

Attorney for Defendant, Dr. James Sweetland

I.D. No.: 82872/63155

470 Norristown Road, Suite 201

Blue Bell, PA 19422

484-344-5340

Email: [crebar@rebarkelly.com](mailto:crebar@rebarkelly.com)[phealey@rebarkelly.com](mailto:phealey@rebarkelly.com)ESTATE OF EDWARD L.  
HIMMELWRIGHT,

Deceased

Plaintiff,

vs.

BOBBIE JO BRUNGARD, LYCOMING-  
CLINTON MENTAL HEALTH  
INTELLECTUAL DISABILITY PROGRAM,  
DR. JAMES SWEETLAND, UPMC LOCK  
HAVEN, TROOPER BENJAMIN J.  
CAMPANA, and the PENNSYLVANIA  
STATE POLICE

Defendants

COURT OF COMMON PLEAS OF  
CLINTON COUNTY

DOCKET NO. 808-2021

**ENTRY OF APPEARANCE****TO THE PROTHONOTARY:**

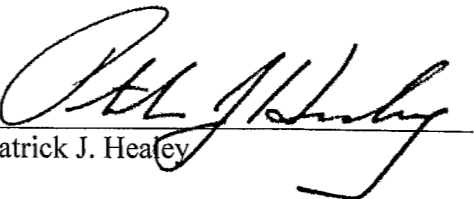
Kindly enter our appearance on behalf of Defendant, Dr. James Sweetland. A jury of twelve (12) is demanded.

**REBAR KELLY**

By:

  
 Cathleen Kelly Rebar

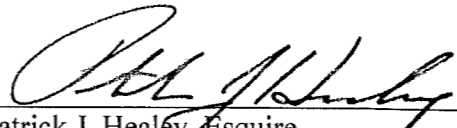
By:

  
 Patrick J. Healey
**DATE: August 23, 2021**

**CERTIFICATE OF COMPLIANCE**

I certify that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents.

**REBAR KELLY**

  
\_\_\_\_\_  
Patrick J. Healey, Esquire  
Attorney for Dr. James Sweetland

**DATE:**       **August 23, 2021**

**CERTIFICATE OF SERVICE**

Patrick J. Healey, Esquire, hereby states that on August 23, 2021, a true and correct copy of the within Entry of Appearance was sent to the counsel listed below by United States Mail, First Class, Postage Pre-Paid:

Eric Winter, Esquire  
646 Lenape Road  
Bechtelsville, PA 19505

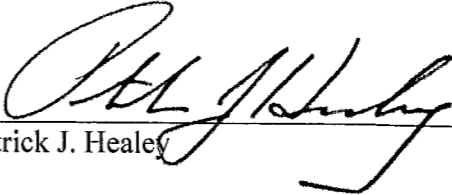
Richard F. Schluter, Esquire  
***McCormick Law Firm***  
835 West Fifth Street  
Williamsport, PA 17701

and was served upon the following parties by United States Mail, First Class, Postage Pre-Paid:

Bobbie Jo Brungard  
3 Nancy Drive  
Mill Hall, PA 17745

Lycoming-Clinton Mental  
Health -Intellectual  
Disability Program  
8 North Grove Street, Suite A  
Lock Haven, PA 17745

Trooper Benjamin J. Campana  
The Pennsylvania State Police  
1800 Elmerton Avenue  
Harrisburg, PA 17110

  
Patrick J. Healey

**DATE: August 23, 2021**

ESTATE OF EDWARD L.  
HIMMELWRIGHT, Deceased,  
Plaintiff

v.

BOBBIE JO BRUNGARD,  
LYCOMING-CLINTON MENTAL  
HEALTH-INTELLECTUAL DISABILITY  
PROGRAM, DR. JAMES SWEETLAND,  
UPMC LOCK HAVEN, TROOPER  
BENJAMIN J. CAMPANA, and the  
PENNSYLVANIA STATE POLICE,  
Defendant

IN THE COURT OF COMMON PLEAS  
OF CLINTON COUNTY,  
PENNSYLVANIA

NO. 808-2021

CIVIL ACTION LAW

JURY TRIAL DEMANDED

**CERTIFICATE OF SERVICE**

I, RICHARD F. SCHLUTER, ESQUIRE, hereby certify that I have served a copy of the attached *Rule to File a Complaint*, upon the following, this 25<sup>th</sup> day of August 2021, as follows:

**UNITED STATES MAIL, POSTAGE PREPAID:**

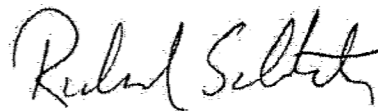
Eric Winter, Esquire  
646 Lenape Road  
Bechtelsville, PA 19505

Dr. James Sweetland  
24 Cree Drive  
Lock Haven, PA 17745

Bobbie Jo Brungard  
Lycoming-Clinton Mental Health  
-Intellectual Disability Program  
8 North Grove Street, Suite A  
Lock Haven, PA 17745

Trooper Benjamin J. Campana  
The Pennsylvania State Police  
1800 Elmerton Avenue  
Harrisburg, PA 17110

McCORMICK LAW FIRM



By

Richard F. Schluter, Esquire  
I.D. No. 79672  
Attorney for Defendant  
UPMC Lock Haven



ESTATE OF EDWARD L.  
HIMMELWRIGHT, Deceased,  
Plaintiff

v.

BOBBIE JO BRUNGARD,  
LYCOMING-CLINTON MENTAL  
HEALTH-INTELLECTUAL DISABILITY  
PROGRAM, DR. JAMES SWEETLAND,  
UPMC LOCK HAVEN, TROOPER  
BENJAMIN J. CAMPANA, and the  
PENNSYLVANIA STATE POLICE,  
Defendant

IN THE COURT OF COMMON PLEAS  
OF CLINTON COUNTY,  
PENNSYLVANIA

NO. 808-2021

CIVIL ACTION - LAW

JURY TRIAL DEMANDED

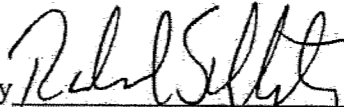
**PRAECIPE FOR RULE TO FILE A COMPLAINT**

TO THE PROTHONOTARY:

Please issue a Rule on plaintiff to file a Complaint in the above-captioned action within twenty (20) days, or suffer a judgment of non pros.

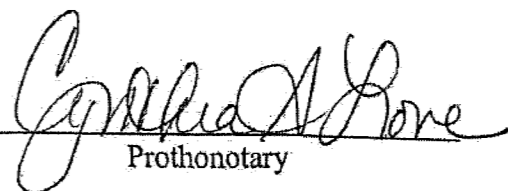
Respectfully submitted,

McCORMICK LAW FIRM

By   
Richard F. Schluter, Esquire  
I.D. No. 79672  
Attorney for Defendant  
UPMC Lock Haven

**RULE TO FILE A COMPLAINT**

AND NOW, this 19<sup>th</sup> day of August, 2021, a Rule is hereby issued on Plaintiff to file a Complaint in the above-captioned action within twenty (20) days of service of the within Rule, or to suffer a judgment of non pros.

  
Prothonotary

ESTATE OF EDWARD L.  
HIMMELWRIGHT, Deceased,  
Plaintiff

v.

BOBBIE JO BRUNGARD,  
LYCOMING-CLINTON MENTAL  
HEALTH-INTELLECTUAL DISABILITY  
PROGRAM, DR. JAMES SWEETLAND,  
UPMC LOCK HAVEN, TROOPER  
BENJAMIN J. CAMPANA, and the  
PENNSYLVANIA STATE POLICE,  
Defendant

IN THE COURT OF COMMON PLEAS  
OF CLINTON COUNTY,  
PENNSYLVANIA

NO. 808-2021

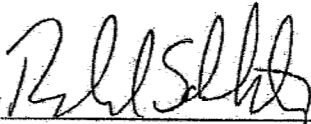
CIVIL ACTION - LAW

JURY TRIAL DEMANDED

### CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

McCORMICK LAW FIRM

By   
Richard F. Schluter, Esquire  
I.D. No. 79672  
Attorney for Defendant  
UPMC Lock Haven

**Exhibit C**

ESTATE OF EDWARD L.  
HIMMELWRIGHT, Deceased,  
Plaintiff

v.

BOBBIE JO BRUNGARD,  
LYCOMING-CLINTON MENTAL  
HEALTH-INTELLECTUAL DISABILITY  
PROGRAM, DR. JAMES SWEETLAND,  
UPMC LOCK HAVEN, TROOPER  
BENJAMIN J. CAMPANA, and the  
PENNSYLVANIA STATE POLICE,  
Defendant

IN THE COURT OF COMMON PLEAS  
OF CLINTON COUNTY,  
PENNSYLVANIA

NO. 808-2021

CIVIL ACTION - LAW

JURY TRIAL DEMANDED

**CONSENT TO REMOVAL OF DEFENDANTS  
TROOPER BENJAMIN J. CAMPANA AND THE  
PENNSYLVANIA STATE POLICE**

I, JEREMY S. MONTGOMERY, ESQUIRE, on behalf of the defendants Trooper Benjamin J. Campana and The Pennsylvania State Police, hereby consent to the removal of the above-captioned action to the United States District Court for the Middle District of Pennsylvania.

By: 

Jeremy S. Montgomery, Esquire

Date: 9/30/21

**Exhibit D**

ESTATE OF EDWARD L.  
HIMMELWRIGHT, Deceased,  
Plaintiff

v.

BOBBIE JO BRUNGARD,  
LYCOMING-CLINTON MENTAL  
HEALTH-INTELLECTUAL DISABILITY  
PROGRAM, DR. JAMES SWEETLAND,  
UPMC LOCK HAVEN, TROOPER  
BENJAMIN J. CAMPANA, and the  
PENNSYLVANIA STATE POLICE,  
Defendant

IN THE COURT OF COMMON PLEAS  
OF CLINTON COUNTY,  
PENNSYLVANIA

NO. 808-2021

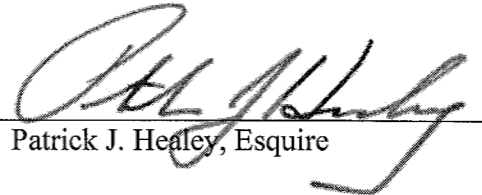
CIVIL ACTION - LAW

JURY TRIAL DEMANDED

**CONSENT TO REMOVAL OF DEFENDANT  
DR. JAMES SWEETLAND**

I, PATRICK HEALEY, ESQUIRE, on behalf of defendant Dr. James Sweetland, hereby  
consent to the removal of the above-captioned action to the United States District Court for the  
Middle District of Pennsylvania.

By:

  
Patrick J. Healey, Esquire

Date: September 30, 2021

**Exhibit E**

ESTATE OF EDWARD L.  
HIMMELWRIGHT, Deceased,  
Plaintiff

v.

BOBBIE JO BRUNGARD,  
LYCOMING-CLINTON MENTAL  
HEALTH-INTELLECTUAL DISABILITY  
PROGRAM, DR. JAMES SWEETLAND,  
UPMC LOCK HAVEN, TROOPER  
BENJAMIN J. CAMPANA, and the  
PENNSYLVANIA STATE POLICE,  
Defendant

IN THE COURT OF COMMON PLEAS  
OF CLINTON COUNTY,  
PENNSYLVANIA

NO. 808-2021

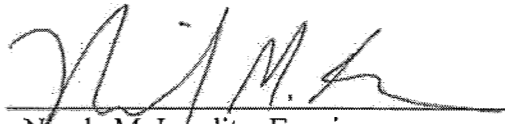
CIVIL ACTION - LAW

JURY TRIAL DEMANDED

**CONSENT TO REMOVAL OF DEFENDANTS  
BOBBIE JO BRUNGARD AND LYCOMING-CLINTON MENTAL  
HEALTH-INTELLECTUAL DISABILITY PROGRAM**

I, NICOLE M. IPPOLITO, ESQUIRE, on behalf of defendants Bobbie Jo Brungard and  
Lycoming-Clinton Mental Health-Intellectual Disability Program, hereby consent to the  
removal of the above-captioned action to the United States District Court for the Middle  
District of Pennsylvania.

By:

  
Nicole M. Ippolito, Esquire

Date:

10/7/21